

NEW YORK HERALD

BROADWAY AND ANN STREET.

JAMES GORDON BENNETT,
PROPRIETOR.

Volume XXXVII. No. 1232

AMUSEMENTS THIS AFTERNOON AND EVENING.

ST. JAMES THEATRE, Twenty-eighth street and Broadway—Macbeth. Matinee at 2.

BOWERY THEATRE, BOWERY—SEARCHING THE PAPERS—SOLON SHINGLE.

OLYMPIC THEATRE, Broadway—The Ballet Pan-
orama of HURST DUFFY. Matinee at 2.BOOTH THEATRE, Twenty-third street, corner Fifth
Avenue—Richard III.WALLACK'S THEATRE, Broadway and 13th street—
LONDON ASSURANCE.THEATRE COMIQUE, 54 Broadway—Comic Vocal
Ensemble, Negro Act. Matinee at 2.UNION SQUARE THEATRE, Fourteenth and Broadway
—The Vow. Matinee at 2.LINA WOKES THEATRE, 720 Broadway—The Power
of Love.GRAND OPERA HOUSE, corner of 5th and 23d st.—
MILLA BOKER.NIBLO'S GARDEN, Broadway, between Prince and
Houston st.—MUSIC FRIDAY.WOODS'S MUSEUM, Broadway, corner 6th st.—Per-
formances afternoon and evening—LION.FIFTH AVENUE THEATRE, Twenty-fourth street—
LA JUVIE.STADT THEATRE, 45 and 47 Bowery—German Opera—
LA JUVIE.MRS. F. R. CONWAY'S BROOKLYN THEATRE—
TWENTY AND CROW.PARK THEATRE, opposite City Hall, Brooklyn—
ESPERANCE.TONY PASTOR'S OPERA HOUSE, No. 801 Bowery—
Negro Comedians, BULLDOG, &c.SAN FRANCISCO HALL, 565 Broadway—Variety Per-
formances.NEW YORK MUSEUM OF ANATOMY, 63 Broadway—
SCIENCE AND ART.NEW YORK MUSEUM OF ANATOMY, 63 Broadway—
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SCIENCE AND ART.The New Department-General Grant
Must Make a Flank Movement.

We have sometimes regarded General Grant as a patient and much-enduring man. We see evidence of this character in his present attitude towards the country. His silence and directness of purpose sometimes resemble impulse, especially when he does suddenly what no one expects him to do. When we urge upon him that new departure which seems necessary to the success of his administration in the coming canvass we feel that we appeal to a judgment in many respects formed; for General Grant is a man of too much ability not to see that the rising public opinion, which has found expression in many forms and is now crystallizing at Cincinnati, requires him to take some new step to meet and counteract it.

When the General commanded the armies of the Potomac and set out upon his campaigns against Richmond his favorite military expedient was to flank Lee. His march to Richmond was a series of flank marches. When his army had taken position and Lee shifted into line in front, and a battle seemed inevitable with advantage, Grant quietly shifted his regiments and forced the rebel commander back, and in time he captured the Confederate capital. He has shown this tendency in his civil administration. When he made Mr. Stewart Secretary of the Treasury, and the politicians, under the lead of Mr. Sumner, rose in mutiny, dreading the advent of an able and experienced merchant disposed to manage the Treasury upon business principles, he quietly flanked them by withdrawing Mr. Stewart's name and sending that of Mr. Boutwell. When the opposition to St. Domingo, fanned by Sumner and Schurz into a flame that menaced the peace of the party and the safety of the administration, became alarming, Grant made a flank march and threw the whole question upon Congress. When Mr. Trumbull and his allies opened their campaign against patronage and office-holding, and the bestowal of offices like booty and prize money upon a successful army, Grant flanked them by suddenly calling into life a civil service system, more radical and far-reaching in its effects than anything proposed by Mr. Trumbull. These several actions were performed suddenly, almost, as it seemed, by impulse. But upon looking over his whole career we see that what seemed to be impulse was really the fruit of a careful and well-considered policy. Something of the same character we saw in his relations with his Cabinet. No man stood higher, apparently, in his esteem than Judge Hoar, then Attorney General. He was a man of education and experience and high character. But he made an unfortunate impression upon the members of the House and Senate in the transaction of the public business. New to official life, impatient with the necessities and complaisances of politics, so ungracious and offensive that when nominated to the Supreme Bench the Senate, although strongly urged by the President, declined to confirm him, he became an encumbrance to the administration. But one morning he was suddenly asked to resign from a place which he had no thought of leaving the day before. In the career of Mr. Akerman, his successor, we had an almost parallel case. Mr. Akerman was appointed in the hope that he might be a peace-offering to the loyal men in the South. The intention was good, but Mr. Akerman was in time found to be of no use to any one in the North or the South. And so one day he was unexpectedly requested to resign, and a successor appointed who was more in harmony with the party and a representative as well of a great and growing section of the country. When Mr. Cox began to nurse troubles and worry the President and annoy the administration he went out of the Cabinet as suddenly as Mr. Akerman and Mr. Hoar. All these things seemed to be impulsive on the part of the President. But there was no impulse. The President was observing events as carefully as he observed Lee when commanding the army. He saw when the time for change had arrived, and he made a flank march.

If the President has carefully observed this movement in Cincinnati he must see that the time has come for a flank march, for something more than a march, perhaps, brilliant strategy, and the fiercest battle ever known in our political history. However much we may condemn the Cincinnati movement and despise the men who lead it, and denounce their chicanery and intrigue, we must see behind it a public opinion which cannot be despised. We can elect General Grant, we are confident, against any ticket. But to do so many things are necessary. He can not be elected by default. There is no chance for a series of soul-inspiring victories, like those of Sherman in Georgia and Sheridan in the Valley, which revived the dormant patriotism of the people and virtually re-elected Abraham Lincoln in 1864. But there are mistakes that can be corrected, burdens that can be removed and victories of peace that may be achieved as splendid as any victories of war. Above all things, we need a new foreign policy. In this is our essential weakness. We might criticize the Treasury management, but it happens that Mr. Boutwell's clumsy handling of the debt and the Syndicate scandals are forgotten in the one generally acceptable and popular circumstance that the debt has been largely paid. This one fact, which to our mind means nothing and proves nothing, and does not relieve the Secretary from the severest criticism, happens to be grateful to the people, and will, strangely enough, be a strong force in the canvass. But it is in the foreign department where we are weak. With all respect for Mr. Fish, and every appreciation of his character and patriotism, we see that the results of our diplomacy our foreign relations make a meagre display. With many opportunities for brilliant and wise statesmanship we look in vain for any exhibition of it. St. Domingo, Cuba, Mexico, England, Russia, all combine to make a succession of failures which it will be very difficult to explain to the people. In the case of Russia, our noble and mighty friend and almost our ally, we saw how the quarrel of the Secretary with a Russian Minister led to such a treatment of the Duke Alexis as has wounded the feelings of the Czar. And the Catechism business, in itself trivial, was permitted to become a source of irritation to Russia. The English treaty was, we admit, a triumph, and we honored Mr. Fish for the achievement, and felt that he had crowned his career with one consummate act of statesmanship. But the treaty has fallen; all its fruits have turned to ashes. Bitterness reigns between the two countries. Anger,

disappointment, misunderstanding, have all arisen, and, having excited the wrath of England by presenting our case, we propose to invite her contempt by withdrawing it, or by so amending it under a menace that it becomes a withdrawal, and we are in the position of having made an unconditional surrender.

How can General Grant answer this to the country? Is there any answer? It is plain to be seen that Mr. Fish, like many able and great men before him—like the most gifted ministers that ever sat in the English Cabinet—has lost the confidence of the country. We do not say this is a fault, but it is certainly a misfortune, and in statesmanship misfortunes must be regarded as faults. Mr. Fish should cheerfully accept the situation by asking permission to retire from the Cabinet. He may have done what he deemed to be best; but it is not what the country deems best, and the country is the master of us all. Let the President send Mr. Fish to England; that compliment is due to his character and services. But let us have a fresh, independent, resolute man in the State Department, who will give confidence to the country; and in looking for a man of this kind the mind turns instinctively to that Minister whose career abroad gave honor to the American name, and compelled the admiration of his country and mankind, to Elihu B. Washburne. Here is a statesman skilled in politics as well as in diplomacy, the trusted friend of Grant, his friend when days were dark and honors were few, and whose career in France is marked with a far-seeing and courageous sagacity. Mr. Washburne was General Grant's political chief of staff in the great campaign of 1862. We are about to enter into a still greater campaign, one that will be fought with unexampled bitterness and intensity. Mr. Washburne is not needed in France, while his services at home would be of incalculable advantage to the President, the party and the country.

So we say to our patient and much-enduring President that the time has come to take a new departure, to make a flank movement against the enemy and prepare for this tremendous and uncertain campaign. Mr. Fish, we are confident, will be the last man to stand in the way of his chief. If the sacrifice of his office will strengthen Grant it will be gladly made. Nor is there any time to be lost. We who support Grant and believe in him, and will gladly feel it a duty to bear a large share of the heat and burden of the fight, insist that we go into battle without any of the impedimenta of the army, with generals who will compel the popular confidence. When Grant took command of the Army of the Potomac he removed all of the generals who had failed, and sending West he selected an obscure officer and put him in command of the cavalry, and made him the right arm of his campaign. The achievements of Philip H. Sheridan justified that choice. Let him imitate his own example—begin this political campaign by sending away the men who have failed to win the people's confidence, and, in making Elihu B. Washburne his political right arm, appoint a statesman to the head of his Cabinet whose achievements in peace will be as brilliant and decisive as the achievements of Sheridan in war.

The Filth of the Streets and the
Street Cleaning Contract.

The intolerable condition of the streets, fraught with its fearful promise of disease in the approaching hot weather, is a subject for anxious consideration by every citizen of New York. In another part of the HERALD will be found the result of a thorough examination of the streets of the city by our reporters, which presents an alarming array of facts for the student of hygiene. It has been conceded on all hands that appeals to the spoils of filth, that astute individual believes in doing nothing with the broom he can possibly avoid. As will be seen by our report, the specifications of the street cleaning contract are of the laxest nature, and could not prevent the streets from being left to the aggregation of poisonous garbage from last November to a week or two ago. In the last fortnight a feeble make-believe has been inaugurated in the cleaning direction, which, however, is wholly inadequate to the work necessary to be done immediately. At the present rate the city would be swept through about next December. A glance at the enormous prices paid for not doing the work will open the eyes of the taxpayers. Last year the receipts of the contractor reached eight hundred and thirty-eight thousand dollars. It is alleged that a great part of this was divided among the magnates of the defunct ring. From what we have seen lately there seems to be a determination on the part of the civic government to do what they can towards having this danger and nuisance abated; but the root lies deeper than they have yet reached. We are convinced that it can only be achieved through a total abrogation of the present contract. The street cleaning commissioners in whom the authority is vested (if any such exists) to accomplish it, have a duty to perform in this regard from which they cannot honestly flinch. It is said that the present contractor is anxious to sell his contract cheap. The citizens would be glad to get rid of him at any cost; but if the Street Commissioners do their duty we think that he can be got rid of for nothing. We call on Mayor Hall to look at the interests of the city and propose this sweeping reform. It has been delayed long enough; yet we shall hail its accomplishment even now with a feeling of thankfulness and pleasure which every citizen who values existence would share with us.

EMIGRATION FROM GERMANY.—The flow of emigrants from the Fatherland continues steadily to increase with the growth of spring. The consolidation of Germany under the empire does not tend to stay the outpouring of her children. German unity fails to check emigration to the United States. In a greater and more free and prosperous land Hans and Gretchen prefer to speak of the far-off Fatherland rather than enjoy at home those beauties of which they speak so enthusiastically abroad. It would seem, indeed, that distance lends enchantment to the view, and "The Watch on the Rhine" is sung with a gusto on the shores of the Hudson greater than can be experienced in the Fatherland itself. From present indications the German emigration

into the United States this season will be equal, if it does not surpass, that of other seasons.

The Spanish Insurrectionary Movement—A Sharp Battle and Serious Defeat of the Carlists.

We are specially informed by telegram from London that advice has been received in the British capital from Spain which report that the Carlist insurrection against Amadeus is extending rapidly in the kingdom, and that disaffection to the royalist cause has made its appearance in the ranks of the regular army. The armed Carlists are still in the field and in considerable strength, and have been again in contact with the royalists at certain points. Despatches dated in Madrid yesterday evening announce that a severe battle was fought between the troops of the Crown and the insurgents at Tudela, in Navarre, and that the Carlists were defeated, with heavy loss. It is said that three hundred men of the revolutionary army were killed and wounded. The severity of the conflict may be taken, perhaps, as an attestation of the sincerity of the vanquished in the cause of the invader. It does not seem, however, that the movement, to any dangerous extent, commands the sympathy of the Spanish people, although we know that a very heavy fall in the value of securities has taken place in the Spanish Bourse. We have no contradiction of the news that Catalonia has been declared in a state of siege, and that insurrectionary forces are concentrated in large numbers in Navarre, Guipuzcoa and Biscay. But the general tone of the intelligence encourages the belief that Spain is not in sympathy with a movement which is essentially reactionary, and that the insurrection, such as it is, will be short lived. The appearance of the government troops is the signal for the fight of the insurgents; and Marshal Serrano, in a congratulatory proclamation to his troops, claims that the people in the disturbed districts stand by the government.

It is to be noted that the railroad and telegraphic communication, which was interrupted by the insurrection, has been re-established between Bayonne and Madrid. It is also deserving of attention that Don Carlos has not yet had the temerity to trust himself personally to his gallant adherents on Spanish soil. Why, if the insurrection be on so grand a scale as some would have us believe, does not the champion of legitimacy and divine right show faith in his own cause and share the fortune of his friends, instead of speaking of such action?

It was for a time believed that the republicans, to serve their own cause and to advance their own interests, would join the insurgents, taking advantage of the absence of the regular troops from the large cities to make the large cities their own. It was also expected, and even confidently stated, that the radical section of the progressists now under the lead of Zorrilla, and since last year alienated from their former associates, would swell the republican ranks and give character as well as impetus to the revolution. It was never our opinion that the republicans, who have only to wait to win, would disgrace their cause by entering into an unholy alliance with the representatives of legitimacy and divine right—their natural and hereditary enemies. It was inconceivable that a high-souled man like Castellar could sanction so unrighteous a compact, and we find that he has been repudiated by the extremists of his party for his adhesion to the cause of the Crown. As little could we believe that Zorrilla, the friend and private secretary of Prim, the master spirit of the progressists when the progressists were as yet disunited, would, because of his difference with Sagasta, go back on the nominee of his unfortunate chief. Our cable reports show that our opinions were well founded, for everywhere throughout Spain the republicans and the progressists are rallying to the support of the government, and Zorrilla has accepted an appointment from the King and at the head of a column of government troops has set out for Navarre. The appointment of Zorrilla, it is said, has had the happiest effect. It has made an end of doubting, and, in spite of the disaffection of certain extreme republicans and certain extreme radicals who rebel against Castellar and Zorrilla, the feeling is general that the cause of Don Carlos is hopeless.

In connection with the general question it is interesting to notice the attitude assumed by the government of President Thiers towards the Spanish insurrection. The President of the French republic has given the world good reason to believe that he is not opposed to republican institutions. President Thiers, however, knows that the cause represented by Don Carlos has nothing in common with the progressive liberalism of the age; he knows that the insurrection in Spain, if successful in the sense in which its original promoters wish it to be successful, cannot do good, but evil; and hence the official decree prohibiting Frenchmen, under heavy penalties, from taking any part in the Spanish insurrection. It is gratifying also to know that so enthusiastic a representative of the divine right principle as Colonel Charette, formerly in the service of the Pope, has engaged to prevent the Pontifical troops now in France taking any part in the Spanish struggle. Our news is thus tolerably convincing that in Spain the insurrection is not rich with promise, and that out of Spain it commands but little sympathy. As it is not a fight for liberty, but for the purpose of reviving the bondage of the Middle Ages, we cannot wish its success.

The Special Sessions Convictions—Judge Brady's Opinion.

The hopes of the two hundred and thirty-four criminals in the Penitentiary and the House of Refuge that the recently promulgated opinion of the Court of Appeals as to the unconstitutionality of the Court of Special Sessions, in which they were tried and convicted, would have the effect of freeing them from restraint to prey upon society, were yesterday dashed to the ground. The decision on the application of their counsel to discharge the entire number of offenders against the peace, on the ground of the irregularity of the Court that decreed their incarceration, was rendered by Judge Brady in the Supreme Court yesterday. It will be found elsewhere in full, and the soundness of its law will be as gratifying to the bar as its conclusions will be to the community at large. It saves us from a calamity little worse than the smallpox; for it is an effectual stoppage to a spawning from the prisons of a desperate class, ready and eager

to reinforce our already too numerous toughs, and revenge themselves for their fancied wrongs on law-abiding citizens. We shall have no general jail delivery, as was feared when the Court of Appeals declared the constitutionality of the Special Sessions illegal. The jail birds will still have to wear the plumage and peck at the cages provided for them by the State; for, by the decision of Judge Brady, who, while he bows to the superior authority of the Court of Appeals, and recognizes the fact that the Special Sessions was not legally constituted, goes back to the common law, the criminals sought to be liberated on habeas corpus are remanded to the City Prison to be tried again. They will, in fact, have to go through the unpleasant but salutary process which first aroused their indignation against the forms and force of law.

But while the Judge is properly inexorable in his application of the law as against the release of the criminals, he leaves a loophole for their escape from further punishment by prosecution. Those persons applying for leave to withdraw their applications for discharge he will permit to serve out their unexpired terms of imprisonment, and in the case of a new trial and conviction he suggests that the term which has already been served shall be credited to each. It is truly a matter for congratulation that the city and State are spared by this decision the horrors which the discharge of so great a number of prisoners from the Penitentiary would inflict.

The Indian Massacres and the Missouri Lynchings.

When the first news of the terrible fight at Going Snake Court House, Cherokee Nation, Indian Territory, arrived here we pointed to the moral which it taught—namely, that the experiment of a semi-civilized tribal government for Indians was a failure. The late murder of the United States marshals by the Indians is only the more notable from a hundred other outrages in its extent and barbarity. The same forces have been producing similar results for years, but it was necessary to have a wholesale butchery on record before public opinion could be moved to investigate the matter. The policy under which this experiment was first tried must be applauded for its humanity. It stretched out a hand to save the Cherokees, Chickasaws, Chickasaws and other tribes from the inevitable annihilation which awaited them, and they were given an immense tract and special advantages, to the end that they might gradually come up to a standard of civilization which would fit them for mingling with white men by the time that the expansion of population sent its wave over their borders. It is undoubtedly true that some progress has been made; but it has never had a sound foundation. Their isolation was sufficient to retain the savagery of their hearts, and, while letting in a mild Sunday school type of religious feeling, gave space to the worst scum of white civilization to ooze through, bringing whiskey and murder as its twin brothers. As a corrective to the crude state of morals thus engendered a slipshod system of jurisprudence was created, which was the council of the Indian savage, with nothing but a judge and jury added. When all this is considered the going Snake slaughter will not appear very surprising. The elements had long been prepared, even to blowing the furnace of hate of the white man to a white heat, by the "border ruffians" whose crimes thereby escaped punishment in their refuge with the tribes. With this discouraging state of affairs before us the necessity of providing for an imminent change in some bloodless way is called for. The march of the railroads cannot be stayed. The increase of demand for transportation will require that Territory to be pierced in two or three directions, and the government must see that it can be done with safety. If the Territory is to remain intact it must be taken more strongly in hand, and this sentimental, compromise civilization be put a stop to. Let the Indians feel something of the vigor of our life and be made to conform to its usages in something more than the very thin form which has hitherto characterized their notions of it. To this end it should be taken in hand by the United States, kept out of the grasp of jobbers, and a stern code of justice mercilessly dealt out to the "border ruffians."

In our comments on the ever-receding border land which lies between civilization and barbarism on this Continent we referred to the phases of white and Indian savagery and lawlessness which moved along the line of construction of the Union Pacific Railroad, and which now threatens to be repeated on the Northern Pacific. We are glad to notice that the Sixth United States infantry has been ordered for duty along the line, and hope they will prove as formidable to the white desperadoes as to the threatening bands of the Sioux warriors.

The "lynch law" epoch, which is the second sinister presentment of advancing civilization among us, furnishes us a story of horror from Missouri, a State long since believed to have passed this fever period. The shootings of the Cass county bond "ring" are replete with cold-blooded horrors and without any excuse. Civilization will look to Governor Gratz Brown to have this blot on the fair fame of the State wiped out in the punishment of the murderers of Stevenson, Cline and Dutro, who, miscreants as they may have been, were innocent in the eye of the law, being untried for any offence. We have no doubt that Governor Brown will do his whole duty in the matter. In a free government, with the law courts at hand, the red-handed settlement of crime, of whatever character, is something to be resisted by every one who values the amenities of civilization. In a State like Missouri the lynching of a bond "ring" is capable of far less apology than the murder of a marshal's posse by the semi-civilized Cherokees or the bloody interference of the Sioux Indians with a railroad which will drive the buffalo from their hunting grounds. To the student of manners and morals in the future these phases of border life will offer many curious illustrations; but to the people of our day they present a problem worthy of much greater attention than it receives, and on our treatment of which posterity may be called upon some day to pass a verdict the reverse of complimentary to our humanity and sagacity.

NAVAL ORDERS.

Commander Reinkens has been ordered to the command of the Tuscacora, at Portsmouth Navy Yard, and given into commission on the 15th inst.

AMUSEMENTS.

Those who witnessed the scenes at the Academy of Music last night will not soon forget them. Novel perhaps in the history of opera was such an unusual display. Long before the doors were open crowds of people had congregated anxious to obtain an entrance. As soon as an admittance was possible the public poured in a constant stream, until there was not left any space where spectators could be accommodated. By eight o'clock the sale of tickets had to be stopped, and the house was crammed to its utmost capacity. If any proof were wanting of the readiness of the people of New York to support good opera it was furnished last night. Certainly the combination company